

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00079

Jimmy Rontrail Sanders,
Plaintiff,

v.
C. Lusk et al.,
Defendants.

ORDER

Plaintiff Jimmy Rontrail Sanders, formerly confined within the Gregg County Jail proceeding pro se, filed this lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love.

The magistrate judge issued a report recommending that plaintiff's lawsuit be dismissed for plaintiff's failure to prosecute his case. Doc. 19. The magistrate judge further recommended that the statute of limitations be suspended for a period of 60 days from the date of final judgment. *See Campbell v. Wilkinson*, 988 F.3d 798, 801 n.1 (5th Cir. 2021).

A copy of this report was sent to plaintiff at his last-known address. However, the report was returned as "undeliverable," with a notation that plaintiff is not at the facility. Doc. 20. Plaintiff failed to file a notice of a change of address.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report and being satisfied that it contains no clear error, the court accepts its findings and recommendation.

Plaintiff's lawsuit is dismissed for plaintiff's failure to prosecute his case. The statute of limitations is suspended for 60 days

from the date of final judgment. All motions pending in this civil action are denied.

So ordered by the court on February 2, 2023.



J. CAMPBELL BARKER
United States District Judge